

**REGULAR SESSION   RUSH COUNTY BOARD OF COMMISSIONERS   MARCH 12, 2012**

The Rush County Board of Commissioners met in regular session, Monday, March 12, 2012 with Commissioners, Tom Barnes, Marvin Cole, Ken Masters, Deborah Adams, Auditor, and Leigh Morning, County Attorney in attendance.

Commissioner Tom Barnes called the meeting to order, Ken Masters made the motion to approve the minutes of the February 27, 2012 meeting as presented. Marvin Cole seconded the motion. Motion carried.

Marvin Cole made the motion to approve the minutes of the Special Commissioners Meeting of March 3, 2012 as presented. Ken Masters seconded the motion. Motion carried.

**SURVEYOR**

Marvin Rees, Surveyor, had nothing to report.

**EMA**

Chuck Kemker, EMA Director, reported that the EMA generator and light trailer was used at the Milroy fire March 4<sup>th</sup>.

The panic buttons and zones are scheduled to be installed Tuesday, by Secure Tech.

The new CERT team members completed their training Saturday. There are now fifteen (15) active members. There are hopes to have another class to begin training in the fall.

Approval has been given by the Red Cross out of Indianapolis to move the shelter equipment back to Rush County. It will be kept in the CERT trailer. If it is needed the CERT team will assist but the shelter will be managed by the Red Cross once they arrive.

March 18 to the 24 will be Severe Weather Preparedness week. The state will be doing tornado drills next Wednesday. There is information as well as a link to the states information on the County's web site.

**PERKINS STREET PROPERTY (FORMER JR. HIGH SCHOOL)**

The Phoenix Lodge No. 62 submitted a new offer for the former school property that was once located on North Perkins Street. The offer of \$5,000.00 received no comments from the audience. Ken Masters made the motion to accept the offer, since no comments were received. Marvin Cole seconded the motion. Motion carried.

**E.C.D.C.**

Jim Finan, Executive Director, Rush County ECDC, along with Greg Hall Chairman of Rush County Ag Roundtable and Steve Ariens, President of Rush County Farm Bureau Inc.

appeared before the commissioners to discuss a program “*Indiana Livestock Friendly County*”. Both ECDC and Rush County Farm Bureau Inc. submitted letters to support the program.

Ken Masters made the motion to set a public hearing for Monday, April 9, 2012 at 9:30 am. Marvin Cole seconded the motion. Motion carried.

### **SHERIFF**

Jeff Sherwood, Sheriff, reported forty (40) inmates incarcerated in the Rush County jail. The new front doors have now been installed. Sherwood thanked the highway department for installing the guard rail around the generator.

### **HIGHWAY**

Jerry Sitton, Highway Superintendent, submitted the highway monthly report.

### **HEALTH INSURANCE COMMITTEE**

Jerry Sitton, Insurance Committee Chairman, reported that the insurance committee were meeting that day.

### **AUDITOR**

Deborah Adams, Auditor, received approval of payroll claims for the period ending March 16, 2012 on a motion by Marvin Cole. Ken Masters seconded the motion. Motion carried.

Bi-Weekly claims submitted March 5, 2012 were approved on a motion by Ken Masters. Marvin Cole seconded the motion. Motion carried.

Adams discussed the recent attending of the Economic Development Class 101 offered by E.C.D.C. Adams asked for permission to pursue creating a tourist site map utilizing the GIS. Leigh Morning has been contacted regarding contacting property owners and the releasing of information. The commissioners gave Adams their permission for her to continue pursue.

### **NACO PRESCRIPTION DRUG CARD**

Marvin Cole made the motion to pass and sign Ordinance 2012-2 An Ordinance Deducting Revenue From NACO Drug Card to County General Fund. Ken Masters seconded the motion. Motion carried.

#### **ORDINANCE 2012-2**

#### **AN ORDINANCE DEDICATING REVENUE FROM NACO DRUG CARD TO COUNTY GENERAL FUND**

WHEREAS, the National Association of Counties (NACo) is a national organization representing county government;

WHEREAS, CVS Caremark is a provider of retail pharmacy services, clinical services, pharmacy benefit services with locations across Indiana;

WHEREAS, NACo, in partnership with Caremark, has negotiated a prescription drug discount program;  
WHEREAS, the discount program makes prescription drug cards available to all citizens in a participating county;  
WHEREAS, participation in the NACo prescription drug card program is a benefit made available to all member counties of NACo;  
WHEREAS, Rush County is a member of NACo and a participant the NACo drug card **program and participation in the program promotes the health and welfare of the residents of the county;**  
WHEREAS, in addition to savings to users of the drug card on purchases of prescription drugs, revenue is also generated to Rush County based on the usage of the discount cards in Rush County;  
WHEREAS, revenue received by Rush County through Rush County's participation in the NACo prescription drug discount program will be used for the benefit of the county taxpayers.  
WHEREAS, IC 36-1-3, the Home Rule Statute, provides local units of government powers to effectively operate local government in areas where state statute is silent.

**WHEREAS, IC 36-1-3-6(b) provides that, if there is no constitutional or statutory provision requiring a specific manner for exercising a power, a unit wanting to exercise the power must either: adopt an ordinance prescribing a specific manner for exercising the power; or comply with a statutory provision permitting a specific manner for exercising the power;**

NOW THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Rush County, Indiana, that:

SECTION 1. Revenue received from payments made by Caremark to the Treasurer of Rush County shall be deposited by the Treasurer in the County General Fund.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF RUSH COUNTY, INDIANA  
this 12th day of March, 2012.

/s/Tom Barnes

TOM BARNES, CHAIRMAN

/s/Marvin L. Cole

MARVIN L. COLE

/s/Kenneth Masters

KENNETH MASTERS

ATTEST:

/s/Deborah C. Adams, Auditor

DATE: March 12, 2012

### **EMS**

EMS Run reports were received and reviewed from Rush Memorial Ambulance; Anderson Twp. Vol. Fire Dept; Carthage Vol. Fire Dept.; and Raleigh Fire Dept.

### **JAMES CASSIDY RECONSTRUCTION DRAIN LOAN**

Marvin Cole made the motion to sign all loan documents for the \$9,913.08 from Main Source Bank for the James Cassidy Reconstruction Drain. Ken Masters seconded the motion. Motion carried.

### **WILLIAM T. MOORE RECONSTRUCTION DRAIN LOAN**

Marvin Cole made the motion to sign all loan documents for the \$48,000.00 from Main Source Bank for the William T. Moore Reconstruction Drain loan. Ken Masters seconded the motion. Motion carried.

### **PUBLIC HEARING**

At 9:30 a.m. a public hearing was scheduled on behalf of James and Constance Wendel of the town of Moscow. The Wendel's filed a petition to vacate a public alley way in the town of Moscow.

Deborah Adams notified everyone that only two (2) of the four (4) adjoining property owners had responded to the certified mailings. Tom Barnes provided an email indicating that one (1) adjoining property owner was out of state. County Attorney Leigh Morning advised that the hearing be continued until April 23rd, allowing the final two (2) adjoining property owners additional time to respond.

Marvin Cole made the motion to continue the hearing until April 23, 2012 at 9:30 a.m. and to close the current hearing. Ken Masters seconded the motion. Motion carried.

### **WINDMILL FARMS**

Vicky Foley questioned Ken Masters as to who was actually contacted from a list of provided names concerning the placement of windmill's. Masters informed her that the individual was not listed on her provided list. Foley asked Masters if he or any of the commissioners had been contacted by Westco. The commissioners responded No.

John Saxon shared his frustration that he felt like he was pulling teeth on getting information from the commissioners on the windmills.

Tom Barnes explained to Saxon that he would go to E.C.D.C. for a report and that the commissioners were not attempting to withhold anything.

Saxon finished by stating that several people in the county would like full disclosure on the windmill's possible locating in Rush County.

### **JOHN LAWLESS DRAIN**

Marvin Cole made the motion to sign all loan documents with Union Savings & Loan for the \$43,307.80 loan on the John Lawless Reconstruction Drain. Ken Masters seconded the motion. Motion carried.

### **BLOUNT - FLETCHER DRAIN**

Ken Masters made the motion to sign all loan documents with Union Savings & Loan for the \$165,000.00 loan on the Blount-Fletcher Drain Reconstruction Drain. Marvin Cole seconded the motion. Motion carried.

**MISC.**

- Tom Monka questioned the commissioners that he was told at the local McDonalds that the commissioners had sold Rush Memorial Hospital. The commissioners assured the individual that NO they had not been approached regarding the selling of Rush Memorial Hospital.
- John Saxon questioned that minutes had not been on the website since the first of the year. Carole Yeend informed Saxon that the link was possibly broken and she would look into.

Motion to adjourn was received from Ken Masters. Marvin Cole seconded the motion. Motion carried.

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| <u>absent</u>        | <u>/s/Marvin Cole</u> | <u>/s/Ken Masters</u> |
| Tom Barnes, Chairman | Marvin Cole           | Ken Masters           |

ATTEST:

/s/Deborah C. Adams  
Deborah C. Adams, Auditor